

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH R. CHAVEZ,

Plaintiff,

v.

No. 20-cv-470 RB-KRS

NEW MEXICO DEPARTMENT OF CORRECTIONS, *et al*,

Defendants.

ORDER DIRECTING ISSUANCE OF NOTICE
AND WAIVER OF SERVICE FORMS

This matter is before the Court on Plaintiff Joseph Chavez's Complaint for Armed Assault and Battery (Doc. 1-1) (Complaint). The Court (Hon. Robert Brack) screened the Complaint and determined that many claims survive initial review. *See* Docs. 8, 13. Yenson, Allen & Wosick, P.C. entered an appearance on behalf of GEO Group, Warden Santistevan, Officer Mendoza, and Officer Martinez (the "GEO Defendants"). The GEO Defendants filed an answer on May 14, 2021 (Doc. 10). Plaintiff then obtained counsel (Lakins Law Firm, P.C.), which provided addresses for Defendants New Mexico Department of Corrections; the State of New Mexico; Secretary of Corrections Alisha Tafoya-Lucero; LCCF; Officer Fuentes; and Former LCCF Warden Smith. (Doc. 12). Because Plaintiff was initially *pro se* and obtained *in forma pauperis* relief in state court, the Court will direct the Clerk's Office to issue notice and waiver of service forms on the remaining Defendants. The Court may require Plaintiff's new counsel to effectuate service if these Defendants decline to file an answer after receiving the forms. However, the costs of service may be imposed on the Defendants if the Court finds they declined to waive personal service without good cause. *See* Fed. R. Civ. P. 4(d)(2).

IT IS ORDERED that the Clerk's Office shall **ISSUE** notice and waiver of service forms, with copies of the Complaint (**Doc. 1-1**) and both screening rulings (**Docs. 8, 13**), for Defendants New Mexico Department of Corrections; the State of New Mexico; Secretary of Corrections Alisha Tafoya-Lucero; LCCF; Officer Fuentes; and Former LCCF Warden Smith. The Clerk's Office should use the addresses provided by Plaintiff's counsel (**Doc. 12**).

A handwritten signature in black ink, appearing to read "Kevin Sweazey". The signature is written in a cursive, flowing style.

UNITED STATES MAGISTRATE JUDGE